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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

the Application of:

JOHN BROWSE ET AL.

CASE NO.: BB-1036-B

APPLICATION NO.: 09/219,935

GROUP ART UNIT: 1638

FILED: DECEMBER 23, 1998

EXAMINER: E. MCELWAIN

FOR: FATTY ACID DESATURASE GENES FROM
PLANTSAssistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Response

This is submitted in response to the Office action dated February 13, 2001 regarding the above-identified application. Applicants respectfully request reconsideration and submit the following in support thereof.

In the Claims

Kindly delete claim 28.

1 (thrice amended) An isolated nucleic acid fragment comprising a nucleic acid sequence selected from the group consisting of (a) a nucleic acid sequence encoding a plant plastid or microsomal enzyme which catalyzes the formation of a double bond between carbon positions 3 and 4 numbered from the methyl end of a fatty acyl chain wherein said enzyme has an amino acid identity of 50% or greater to a polypeptide having an amino acid sequence of any one of SEQ ID NOS:2, 5, 7, 9, 11, 13, 15 or 17 or (b) a nucleic acid sequence, or complement thereof or part thereof which is useful in antisense inhibition or sense suppression of endogenous desaturase activity in a transformed plant wherein the nucleic acid sequence encodes a polypeptide with an amino acid identity of 50% or greater to the polypeptide having the amino acid sequence of any one of SEQ ID NOS:2, 5, 7, 9, 11, 13, 15 or 17.

24. (thrice amended) Seeds obtained from the plants of claim 23 wherein said seeds are transformed with the chimeric gene of claim 22.

27. (once amended) The method of claim 26 wherein said plant cell of an oil-producing species is selected from the group consisting of Arabidopsis thaliana, soybean, oilseed Brassica napus, sunflower, safflower, cocoa, cotton, peanut, and corn.



1638

Please type a plus sign (+) inside this box



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(to be used for all correspondence after initial filing)

Application Number	09/219,935
Filing Date	DECEMBER 23, 1998
First Named Inventor	JOHN BROWSE ET AL.
Group Art Unit	1638
Examiner Name	E. MCELWAIN
Attorney Docket Number	BB-1036-B

Total Number of Pages in This Submission

5

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☒ Amendment / Response

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing
Parts under 37 CFR
1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

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☐ After Allowance Communication
to Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
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☐ Proprietary Information

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☐ Other Enclosure(s) (please
identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name

LYNNE M. CHRISTENBURY

Signature

Lynne M. Christenbury

Date

May 2, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: May 2, 2001

Typed or printed name

SUSAN L. DURKEE

Signature

Susan L Durkee

Date

May 2, 2001

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